



WARREN, JANICE <jwarren@pcssd.org>

PCSSD Overtime Policy

1 message

Williams, Darrick <dwilliams5660@pcssd.org>
To: JANICE WARREN <jwarren@pcssd.org>

Wed, Jun 24, 2020 at 1:25 PM

Dr. Warren,

I have attached the PCSSD Overtime Policy as per your request. The section that stipulates it must be pre-approved is on the last page.

Please let me know if you need anything else.



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PCSSD Overtime Policy.pdf
933K



OVERTIME, COMPENSATORY TIME, and COMPLYING WITH FLSA

The Pulaski County Special School District shall comply with those portions of the Fair Labor Standards Act that relate to the operation of public schools. The act requires that covered employees be compensated for all hours worked at greater than or equal to the applicable minimum wage for workweeks of less than or equal to 40 hours.^A It also requires that employees be compensated for workweeks of greater than 40 hours at 1.5 times their regular rate of pay either monetarily or through compensatory time^C.

Definitions

Overtime is hours worked in excess of 40 per workweek. Compensation given for hours not worked such as for holidays or sick days do not count in determining hours worked per workweek.^D

Workweek is the seven day consecutive period of time from 12:00 a.m. on Saturday to midnight on the following Friday. Each workweek is independent of every other workweek for the purpose of determining the number of hours worked and the remuneration entitled to by the employee for that week.^E

Exempt Employees are those employees who are not covered under the FLSA.^F They include administrators and professional employees such as teachers, counselors, nurses, and supervisors. Any employee who is unsure of his/her coverage status should consult with the District's Administration.

Covered Employees (also defined as non-exempt employees) are those employees who are not exempt, and include, but are not limited to, bus drivers, clerical workers, maintenance personnel, custodians, transportation workers, receptionists, paraprofessionals, food service workers, secretaries, bookkeepers and security officers.

Regular Rate of Pay includes all forms of remuneration for employment and for covered employees shall be expressed as an hourly rate.^G Covered employees shall be paid for each and every hour worked.

Each employee is to personally record his or her own times. Any employee who signs in or out (or who punches a time clock) for another employee or who asks another employee to do so for him or her will be recommended for termination.

Employees whose normal workweek is less than 40 hours and who work more than their normal number of hours in a given workweek may, at the District's option, be given compensatory time for the hours they worked in excess of their normal workweek in lieu of their regular rate pay. Compensatory time given in this manner shall be subject to the same conditions regarding accumulation and use as compensatory time given in lieu of overtime pay.

Meals

Meal periods which are less than 30 minutes in length or in which the employee is not relieved of duty are compensable.^L Employees with a bona fide meal period shall be completely relieved of their duty to allow them to eat their meal which they may do away from their work site, in the school cafeteria, or in a break area.

Overtime

Covered employees shall be compensated at not less than 1.5 times his or her regular rate of pay for all hours physically worked over 40 in a workweek.^M Overtime compensation shall be computed on the basis of the hours worked in each week and may not be waived by either the employee or the District. Overtime compensation shall be paid on the next regular payday for the period in which the overtime was earned.^N

Covered employees working two or more jobs for the District at different rates of pay shall be paid overtime at a weighted average of the differing wages.^O This shall be determined by dividing the total regular remuneration for all hours worked by the number of hours worked in that week to arrive at the weighted average. One half that rate is then multiplied times the number of hours worked over 40 to arrive at the overtime compensation due.

Provided the covered employee and the District have a written agreement before the work is performed,^P compensatory time off may be awarded in lieu of overtime pay for hours worked over 40 in a workweek and shall be awarded at 1.5 times each hour of overtime worked.^Q The District reserves the right to determine if it will award compensatory time in lieu of monetary pay for the overtime worked. The maximum number of compensatory hours an employee may

accumulate at a time is 40. The employee must be able to take the compensatory time off within a reasonable period of time that is not unduly disruptive to the District.

An employee whose employment is terminated with the District, whether by the District or the employee, shall receive monetary compensation for unused compensatory time. Of the following methods, the one that yields the greatest money for the employee shall be used.

1. The average regular rate received by the employee during the last 3 years of employment.
- Or
2. The final regular rate received by the employee.^R

Compensatory Time for Exempt Employees

Exempt employees are not eligible for overtime pay and may be required to work past their normal scheduled work hours when necessary to accomplish a critical task or meet an important deadline. In limited and unusual circumstances that call for an extended period of working more than 40 hours per week, compensatory time may be granted. Compensatory time will be equal to hours worked above 40 hours per week and will only be granted if the exempt employee and his or her supervisor have a written agreement before the work is performed. Compensatory time earned by exempt employees will be recorded in one-hour increments and will not accrue in excess of 80 total hours. Compensatory time will be taken in 1 hour increments and must be pre-approved by the employee's supervisor.

Overtime Authorization

There will be instances where the District's needs necessitate an employee work overtime. It is the Board's desire to keep overtime worked to a minimum. To facilitate this, employees shall receive authorization from their supervisor in advance of working overtime except in the rare instance when it is unforeseen and unavoidable.

All overtime worked will be paid in accordance with the provisions of the FLSA, but unless the overtime was pre-approved or fit into the exceptions noted previously, disciplinary action must be taken for failure to follow District policy. In extreme and repeated cases, disciplinary action could include the termination of the employee.